

REMARKS

Status of the Claims.

Claims 33-51 are pending with entry of this amendment, claims 1-32 and 52-117 being cancelled and no being added herein. Claims 33, 49, 50, and 51 are amended herein. These amendments introduce no new matter. The amendment of claim 33 is made simply eliminate the term "typically". The amendments of claims 49, 50, and 51 are made so that the claims are consistent in form to the parent claim (claim 33).

Election/Restriction.

Pursuant to a restriction requirement made final, Applicants cancel claims 71-117 with entry of this amendment. Please note, however, that Applicants reserve the right to file subsequent applications claiming the canceled subject matter and the claim cancellations should not be construed as abandonment or agreement with the Examiner's position in the Office Action.

Information Disclosure Statement.

Applicants note with appreciation the Examiner's thorough consideration of the references cited in the Information Disclosure Statement (Form 1449) submitted on January 2, 2003.

Drawings.

The drawings were objected to because the reference characters "14" in Figure 3 and "20" in Figure 2 were allegedly both used to designate the organic molecules. In addition, the drawings were objected to because reference character "14" was allegedly used to designate both an electrode conductor and the organic molecule in Figure 2-5. A drawing correction is made with entry of this amendment thereby obviating these objections.

Specification.

The specification was objected to because in paragraph [0118] reference was made to a copending application, but did not provide an application number. Paragraph [0118] is amended herein obviating this objection.

It is noted that the title and filing date of the application was provided and this is sufficient to uniquely identify the application. Accordingly, the amendment providing the serial number introduces no new matter.

Claim Objections.

Claim 61 was objected to because the term "about t" should be --about--. Claim 61 is canceled thereby obviating this objection.

Claims 9, 32, 51, and 62 were objected to under 37 C.F.R. §1.75(c) as allegedly failing to further limit the subject matter of a previous claim. Claim 51 has been amended herein to replace the term "independently addressable" to --independently addressed-- thereby providing further structure defining the products. In addition, claims 9, 32, and 62 are canceled. Accordingly, the objection to claims 9, 32, 51, and 62 should be withdrawn.

35 U.S.C. §112, Second Paragraph.

Claims 16, 22-24, 33-51, 67, and 68 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for various reasons as explained below:

- a) Claim 16 allegedly lacked antecedent basis for the limitation "said insulator" in line 1. Claim 16 is canceled thereby obviating this rejection.
- b) Claims 22 and 23 allegedly lacked antecedent basis for the limitation "said redox-active molecule". Claims 22 and 23 are canceled thereby obviating this rejection.
- c) Claim 24 allegedly lacked antecedent basis for the limitation "said organic molecule". Claim 24 is canceled thereby obviating this rejection.
- d) Claim 33 was allegedly indefinite because of the recitation of the phrase "typically about". Claim 33 is amended herein to recite "... having a cross-sectional area less than about 1 micron by 1 micron;" thereby obviating this rejection.

Allowable subject matter.

The Examiner indicated that claim 33 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph. Moreover, the Examiner indicated that "none of the prior art of record are considered to teach, suggest, or render obvious the invention of claim 33."

Applicants have amended claim 33 to obviate the rejection under 35 U.S.C. §112, second paragraph and accordingly believe this claim is allowable. Moreover, since claims 34-51

depend from claim 33 and thereby incorporate all the limitations of claim 33, Applicants believe these claims are also free of the prior art of record and consequently are allowable.

35 U.S.C. §102 and §103.

The Examiner made a number of rejections of claims 1-32, and 52-70 under 35 U.S.C. §§102 and 103(a). Applicants have canceled these claims with entry of this amendment thereby obviating these rejections.

Please note, however, that Applicants reserve the right to file subsequent applications claiming the canceled subject matter and the claim cancellations should not be construed as abandonment or agreement with the Examiner's position in the Office Action.

In view of the foregoing, Applicants believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Should the Examiner seek to maintain the rejections, Applicants request a telephone interview with the Examiner and the Examiner's supervisor.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

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Respectfully submitted,



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